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6 Attorneys for Defendants
7 WELLS FARGO INSURANCE SERVICES USA, INC.,
H. DAVID WOOD, BRIAN M. HETHERINGTON,
8 SAMUEL L. JONES III, MARK W. STOKES, and
PAMELA HENDRICKS
9

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

12 STEVEN H. SEDELL,

13 Plaintiff,

14 vs.

15 WELLS FARGO OF CALIFORNIA
INSURANCE SERVICES, INC., a California
16 Corporation, ACORDIA OF CALIFORNIA
INSURANCE SERVICES, INC., a California
17 Corporation, DAVID J. ZUERCHER, an
individual, H. DAVID WOOD, an individual,
18 BRIAN M. HETHERINGTON, an individual,
SAMUEL L. JONES III, MARK W. STOKES,
19 an individual PAMELA HENDRICKS, an
individual, AND does 1-100, inclusive,

20 Defendants.
21

Case No. CV-10-04043 SBA

PARTIES' JOINT STIPULATION;

**ORDER DENYING REQUEST TO EXTEND
DISCOVERY AND MOTION CUT-OFF
DATES**

JOINT STIPULATION

Plaintiff STEVEN H. SEDELL ("Plaintiff") and Defendants WELLS FARGO INSURANCE SERVICES USA, INC., H. DAVID WOOD, BRIAN M. HETHERINGTON, SAMUEL L. JONES III, MARK W. STOKES, and PAMELA HENDRICKS (collectively, "Defendants") stipulate, as follows:

WHEREAS, Defendants served Plaintiff with a deposition notice on February 11, 2011, for May 4-5, 2011;

WHEREAS, in a good faith attempt to accommodate Plaintiff's and Plaintiff's counsel's requests to re-schedule Plaintiff's deposition due to their personal matters, Defendants agreed to re-schedule Plaintiff's deposition for July 12-13, 2011, and then again for August 17-18, 2011;

WHEREAS, Plaintiff is not available for his deposition on August 17-18, 2011, and Defendants, therefore, still have not been able to take Plaintiff's deposition despite first noticing it in February 2011;

WHEREAS, Plaintiff has represented that he will appear for his deposition on September 22-23, 2011;

WHEREAS, Defendants served Plaintiff with written discovery, including document requests and interrogatories, on March 22, 2011;

WHEREAS, despite Defendants' diligent attempts to meet and confer with Plaintiff regarding his outstanding responses, Plaintiff did not serve his responses to Defendants' written discovery until August 15 and 16, 2011, almost five months later;

WHEREAS, pursuant to the Court's Order for Pretrial Preparation, the Discovery Cut-Off currently is September 2, 2011 and the Motion Cut-Off is October 25, 2011;

WHEREAS, due to Plaintiff's delay in responding Defendants' written discovery and unavailability to appear for his deposition, Defendants have not been able to complete discovery despite their diligent and reasonable efforts;

WHEREAS, Plaintiff also has not completed his discovery;

1 THEREFORE, the parties stipulate and ask the Court to grant a 90-day extension of the
2 Discover and Motion Cut-Off dates.

3 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

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5 Dated: 8-16-11

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

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7 By: /s/ Alexander Nestor

8 ALEXANDER NESTOR
9 Attorneys for Defendants
10 WELLS FARGO INSURANCE SERVICES
11 USA, INC., H. DAVID WOOD, BRIAN M.
12 HETHERINGTON, SAMUEL L. JONES
13 III, MARK W. STOKES, and PAMELA
14 HENDRICKS

15
16 Dated: 8-16-11

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18 By: /s/ Steve Zavodnick

19 STEVE ZAVODNICK
20 Attorney for Plaintiff
21 STEVEN H. SEDELL
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ORDER

Presently before the Court is the parties' stipulation to extend discovery and motion cut-off deadlines. The parties' stipulation does not address any other pretrial deadlines, which are affected by their requested extension of the discovery and motion cut-off deadlines. Consequently, IT IS HEREBY ORDERED THAT the parties' request for an extension is DENIED WITHOUT PREJUDICE.

IT IS SO ORDERED.

Dated: 8/23/11


HON. SAUNDRA B. ARMSTRONG